

PERRY COUNTY, INDIANA GRIEVANCE POLICY AND PROCEDURE

GRIEVANCE POLICY

Perry County is committed to ensuring that people with disabilities are able to take part in and benefit from the variety of public services and activities offered by the County.

GRIEVANCE PROCEDURE

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008, Perry County does not discriminate against qualified individuals with disabilities on the basis in its services, programs or activities.

Under Title VI of the Civil Rights Act of 1964 as amended in 1972, 1978 and 1992, no person in the United States shall, on the grounds of race, color or natural origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance by Perry County.

The Americans with Disabilities Act and Title VI requires entities adopt and publish grievance procedures to assure the prompt and equitable resolution of any grievance. The purpose of this grievance procedure is to resolve as promptly as possible any problems, grievances or conflicts related to the County's compliance without the need for the grievant to resort to other remedies available under the law.

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1. Who may file a grievance?

You or your authorized representative may file a grievance if you believe that:

- Perry County is not in compliance with the physical access requirements of the Americans with Disabilities Act as it relates to public facilities, land or Rights-of-Way.
- You or a specific class of individuals have been denied access to participate in any Perry County program, service, or activity on the basis of race, color, gender, age, national origin, or disability.
- You or a specific class of individuals have been otherwise subjected to discrimination by Perry County on the basis of race, color, gender, age, national origin or disability.
- Perry County has otherwise violated the Americans with Disabilities Act or Title VI.

2. When should the grievance be filed?

Before filing a grievance, you may seek an informal resolution by contacting the applicable department head. If your concern is not resolved in a timely fashion, you may file a formal grievance under this procedure.

You are encouraged to file your grievance as soon as possible within 15 business days of the alleged discrimination.

3. What should the grievance include?

The grievance should be in writing and contain information about the alleged discrimination such as the location, date and description of the incident; and information about the person filing the grievance such as name, address and telephone number.

Assistance may be given in filing the grievance for people with disabilities. Please contact the Perry County ADA Coordinator to request assistance.

Whenever possible, the approved Perry County Grievance Form should be used.

4. Where should I file my grievance?

The completed grievance form may be submitted in person to the County Administrator's office in the Perry County Courthouse.

A completed grievance form can be mailed to the following address:

ADA Coordinator
c/o The Perry County Administrator
Perry County Courthouse
2219 Payne Street
Tell City, IN 47586

For assistance please call 812-547-2758.

5. What happens after my grievance is filed?

After receiving your grievance, the ADA Coordinator or his/her duly designated investigator will perform an investigation within 30 calendar days. The investigation may include you and any other person(s) the investigator believes to have relevant knowledge concerning your grievance. The investigator may also consider any written evidence submitted.

After completing the investigation, the ADA Coordinator or his/her duly designated investigator will review the factual information and evidence gathered, and a written response will then be issued.

6. When will I receive a response?

The ADA Coordinator will provide a copy of the written response to you within 30 calendar days of the completion of the investigation.

7. What happens if I am not satisfied with the response?

If you are not satisfied with the response you may submit an appeal request within 15 business days of your receipt of said response. The appeal request must be submitted in writing to the ADA Coordinator, and it must state the reason(s) for said request.

Within 30 calendar days after receipt of the appeal request the ADA Coordinator will meet with the Perry County Commissioners to form a special appeal committee. The special appeal committee will be made up of at least three members appointed by the Perry County Commissioners. The committee, which shall have the authority to negotiate a settlement on behalf of the County, shall be composed of at least three individuals from the following membership:

- a. A member of the Perry County Council
- b. A member of the health/medical profession
- c. A member of the disabled community
- d. A member of the business community
- e. A member of the local school corporation or board

After appointed, the appeal committee will meet within 30 calendar days and make a determination. You will then be notified in writing of the determination. If you are not satisfied with the results of the appeal, you may file a complaint with the appropriate agency of the State or Federal government. Contact the U.S. Department of Justice for assistance in reaching the appropriate agency. www.ada.gov

Using the Perry County Grievance Procedure is not a prerequisite to pursuing assistance from other agencies. However, in the interest of a prompt resolution of the grievance, Perry County strongly encourages you to use this procedure before any of the other available alternatives.

Perry County will keep all grievances and appeals for a minimum of three (3) years.

This policy is hereby approved and adopted by the Perry County Commissioners on this 4th day of June, 2012.